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3 **IN THE UNITED STATES DISTRICT COURT**  
4 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
5 **SAN JOSE DIVISION**  
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7 Jordie Bornstein, Cordt Byrne, Elliot Carter,  
8 Jeff Ciotti, Dwight Dickerson, Matthew  
9 Christianson, Logan Griesemer, Ryan Hart,  
10 William Horton, Steve Krug, Gail Margolis,  
11 Kate Mortensen, Alyssa Nee, Christopher  
12 Whalen, Stephan Farid Wozniak, Christopher  
13 Zayas-Bazan, on behalf of themselves and all  
14 others similarly situated,

15  
16 Plaintiffs,

17 v.

18 Qualcomm, Incorporated,

19 Defendant.  
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Case No.: 17-cv-234-LHK

**NOTICE OF VOLUNTARY  
DISMISSAL PURSUANT TO FED. R.  
CIV. P. 41(a)**

Related Consolidated Action:  
MDL No. 17-md-2773-LHK

29 NOTICE IS HEREBY GIVEN that pursuant to Federal Rule of Civil Procedure  
30 41(a)(1)(A)(i), Plaintiffs in *Bornstein, et al. v. Qualcomm, Inc.*, No. 17-cv-234-LHK (N.D.  
31 Cal.), Jordie Bornstein, Cordt Byrne, Elliot Carter, Jeff Ciotti, Dwight Dickerson, Matthew  
32 Christianson, Logan Griesemer, Ryan Hart, William Horton, Steve Krug, Gail Margolis, Kate  
33 Mortensen, Alyssa Nee, Christopher Whalen, Stephan Farid Wozniak, and Christopher Zayas-  
34 Bazan, by and through their counsel hereby voluntarily dismiss, without prejudice, the action  
35 of *Bornstein, et al. v. Qualcomm, Inc.*, No. 17-cv-234-LHK (N.D. Cal.) against Defendant  
36 Qualcomm Incorporated. Defendant has not filed or served either an answer or a motion for  
37 summary judgment in the action. Plaintiffs have not previously dismissed in any court in the  
38 United States or in any state an action based on or including the same claims asserted in  
39 *Bornstein, et al. v. Qualcomm, Inc.*, No. 17-cv-234-LHK (N.D. Cal.).

1 Accordingly, this matter may be dismissed without prejudice and without an Order of  
2 the Court.

3  
4 Dated: September 27, 2017

Respectfully submitted,

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